

This listing of claims will replace all prior versions, and listing of claims in the application:

Listing of claims:

Claim 1 (currently amended) A nutritional formula having a, ~~wherein the pH of the formula~~, in its liquid state, is in the range of 3.5 to 6, ~~wherein the formula comprising comprises~~ lactic acid and ~~whereby~~ at least 70% by weight of the lactic acid is present as the enantiomer of L-(+)-lactic acid, ~~characterized in that~~ the formula is directly acidified.

Claim 2 (currently amended) The nutritional formula according to Claim 1, wherein the ~~which is a powdered nutritional formula is in a powder form.~~

Claim 3 (currently amended) The ~~powdered~~ nutritional formula according to Claim 1-
2, wherein the nutritional formula ~~characterised in that it is an infant formula.~~

Claim 4 (currently amended) The nutritional formula according to ~~any of the preceding claims~~ claim 1, further comprising a protein source, a carbohydrate source and/or a lipid source.

Claim 5 (currently amended) The nutritional formula according to Claim 4 comprising a, ~~wherein the protein source comprises a protein source~~ selected from the group consisting of whole or skimmed milk powder, casein, whey protein, soy protein, rice protein, carob seed protein, germ flour protein, and/or mixtures thereof.

Claim 6 (currently amended) The nutritional formula according to Claim 5, wherein the casein and/or whey protein is intact or not hydrolysed.

Claim 7 (currently amended) A method of preparing a ~~the~~ nutritional formula ~~according to any of Claims 1-6~~, comprising the steps of

hydrating at least one of a protein source and/or a carbohydrate source,

adding diluted L-(+) lactic acid to the hydrated carbohydrate source and/or the hydrated protein source until a pH of about 3.5 – 6 is obtained and at least 70% of the lactic acid is present as L-(+) lactic acid.

Claim 8 (original) The method according to Claim 7, comprising the further step of adding a lipid source.

Claim 9 (currently amended) The method according to Claim 8, wherein the step of adding a lipid source is performed ~~conducted~~ before adding L-(+) lactic acid.

5 Claim 10 (currently amended) A method of preparing ~~The use of isolated or purified L-(+) lactic acid in the preparation of~~ acidified nutritional formulas comprising the step of using a lactic acid chosen from the group consisting of isolated and purified L(+)-lactic acid.

10 Claim 11 (currently amended) A method of ~~The use of isolated or purified L(+)-lactic acid for~~ preventing growth of pathogens in nutritional formulas comprising the step of using a lactic acid chosen from the group consisting of isolated and purified L(+)-lactic acid.

Claim 12 (new) The nutritional formula according to claim 1 comprising a source selected from the group consisting of a protein source, a carbohydrate source and a lipid source.